

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BRUCE BANKS, individually,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,

Defendant.

Case No. C03-5533RJB

ORDER GRANTING IN PART  
PLAINTIFF'S MOTION TO ADJUST  
DATE FOR DISCLOSURE OF  
OPINIONS OF REBUTTAL  
WITNESSES

This matter comes before the Court on the above referenced motion. (Dkt. 60.) The Court is familiar with the records and files herein, and the documents filed in support of and in opposition to the motion. The motion is brought under the authority of Fed. R. Civ. P. 26 (2). In light of the dates set in the Amended Minute Order Setting Trial, Pretrial Dates and Ordering Mediation, it is appropriate to adjust the dates for disclosure of opinion of expert rebuttal witnesses.

It is reasonable to conclude that defense decisions as to rebuttal witnesses will not be finally made until after plaintiff's expert witnesses are deposed. The defendant's suggestions, in its response to this motion (Dkt. 63), are reasonable. Accordingly, the court now makes the following  
**ORDER:**

(1) The defense should disclose opinions of any rebuttal expert psychologist witness by April, 14, 2005.

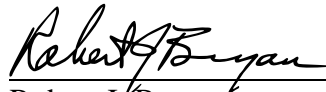
ORDER GRANTING IN PART PLAINTIFF'S MOTION TO ADJUST DATE FOR  
DISCLOSURE OF OPINIONS OF REBUTTAL WITNESSES-1

1 (2) The defense should disclose opinions of any rebuttal expert anesthesiologist witness by  
2 April 28, 2005.

3 To the foregoing extent, the Motion to Adjust Date for Disclosure of Opinions of Rebuttal  
4 Witnesses is GRANTED IN PART AND DENIED IN PART.

5 The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of  
6 record and to any party appearing *pro se* at said party's last known address.

7 DATED this 14<sup>th</sup> day of April, 2005.

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10 Robert J. Bryan  
United States District Judge  
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